

PROPOSITION 47: ESTIMATING LOCAL SAVINGS AND JAIL POPULATION REDUCTIONS, SUMMARY



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Summary

About Proposition 47

Proposition 47, the “Safe Neighborhoods and Schools Act,” which will appear on the November 4, 2014 statewide ballot, proposes to reduce the status of certain low-level property and drug offenses from felonies or wobblers to misdemeanors. These offenses include drug possession for personal use and petty-theft-related offenses (theft, shoplifting, receipt of stolen property, checks for non-sufficient funds, forgery, and check fraud, all for \$950 or less).¹ The measure would not apply to people with prior convictions for registerable sex offenses or certain severe offenses.²

Should Proposition 47 pass and these offenses become misdemeanors, most people convicted of the offenses would no longer be eligible for state prison, resulting in a drop of several thousand in the prison population and estimated savings to the state of \$100 million to \$300 million annually (Legislative Analyst’s Office, 2014). Counties could save between \$400 million and \$700 million annually; most of these potential savings would accrue from freeing 10,000 to 30,000 jail beds across all counties. In the absence of county-specific data, an earlier CJCJ research brief proposed a method for estimating potential savings and jail beds freed in individual counties as a result of implementing Proposition 47, using three counties as examples (Males and Buchen, 2014). This brief summarizes those findings.

Potential Impact of Proposition 47 on Individual Counties

CJCJ estimated the county-level impact of Proposition 47 based on the number of people in each county convicted of offenses affected by Proposition 47, and the LAO’s statewide estimate of county cost savings and jail beds freed (see Males and Buchen, 2014, for a full description of methods).

Table 1. Potential county-level impact of Proposition 47: Jail beds freed and cost savings

	Statewide	Los Angeles	San Diego	San Joaquin
Jail beds freed				
Lower-bound estimate	10,000	2,497	710	171
Upper-bound estimate	30,000	7,490	2,131	513
Estimated annual cost savings (millions)				
Lower-bound estimate	\$400.0	\$99.9	\$28.4	\$6.8
Upper-bound estimate	\$700.0	\$174.8	\$49.7	\$12.0

¹ For a detailed description of these offenses, refer to analysis by Legislative Analyst’s Office (2014).

² Homicide, attempted homicide, solicitation to commit murder, assault with a machine gun on a peace officer or firefighter, possession of a weapon of mass destruction, and any serious and/or violent felony punishable by life imprisonment or death.

Jail Beds Freed

By reclassifying offenses as misdemeanors, Proposition 47 would result in people convicted of the specified offenses receiving shorter sentences or being sentenced straight to probation, which could have a significant impact on county jail populations. Although freed jail beds could be used to reduce early releases due to capacity limitations, county jails could see 10,000 to 30,000 jail beds freed annually within a few years (LAO, 2014). These figures estimate the potential number of jail beds freed:

- Los Angeles County could see 2,497 to 7,490 jail beds freed;
- San Diego County could see 710 to 2,131 jail beds freed;
- San Joaquin County could see 171 to 513 jail beds freed.

Total Cost Savings

Statewide, counties could save between \$400 million and \$700 million annually under Proposition 47, primarily due to reduced jail populations. Some savings would also result from reduced probation populations and lower court and law enforcement costs for managing people charged with misdemeanors rather than felonies (LAO, 2014). For individual counties:

- Los Angeles County could save between \$99.9 million and \$174.8 million;
- San Diego County could save \$28.4 million to \$49.7 million;
- San Joaquin County could save \$6.8 million to \$12.0 million.

Sources

Board of State and Community Corrections (BSCC). (2014). Data Dashboard, Jail Population Trends, Early Releases Due to Lack of Housing Capacity. At: http://www.bscc.ca.gov/s_datadashboard.php

Criminal Justice Statistics Center (CJSC). (2013). Criminal Justice Profiles. Arrests. At: <https://oag.ca.gov/crime/cjsc/stats/arrests>

Department of Justice (DOJ). (2014). Convicted offenses – 2010 and 2012. Criminal Justice Information Technology Services Center, Hawkins Data Center (spreadsheet), June 23, 2012. Provided to authors courtesy of the Legislative Analyst's Office.

Legislative Analyst's Office (LAO). (2014). *Proposition 47: Criminal Sentences. Misdemeanor Penalties. Initiative Statute*. At: <http://www.lao.ca.gov/ballot/2014/prop-47-110414.pdf>

Males, M. and L. Buchen. (2014). Proposition 47: Estimating Local Savings and Jail Population Reductions. At: http://www.cjcj.org/uploads/cjcj/documents/proposition_47_county_estimates.pdf

Please note: Each year, every county submits their data to the official statewide databases maintained by appointed governmental bodies. While every effort is made to review data for accuracy and to correct information upon revision, CJCJ cannot be responsible for data reporting errors made at the county, state, or national level.

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